

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14847, of 23 West Limited Partnership, pursuant to 11 DCMR 3107.2, for a variance from the maximum height limitation requirements (Sub-section 630.1) to construct a new mixed use office/apartment house building in a CR District at premises 1250 - 23rd Street, N.W., (Square 36, Lot 50).

HEARING DATE: July 20, 1988
DECISION DATE: July 20, 1988 (Bench Decision)

DISPOSITION: The Board GRANTED the application by a vote of 5-0 (Charles R. Norris, Paula L. Jewell, William F. McIntosh, Lindsley Williams and Carrie L. Thornhill to grant).

FINAL DATE OF ORDER: September 6, 1988

ORDER

The Board granted the application, subject to two conditions, by its Order dated September 6, 1988. By letter dated September 16, 1988, counsel for the applicant requested the Board to reconsider the conditions imposed by its Order. The general basis for the applicant's request for reconsideration are as follows:

- a. The requirement of a covenant was not adopted by the Board in its decision on the case.
- b. The Advisory Neighborhood Commission did not request a covenant if the bylaws set forth in the revised resolution are maintained.
- c. There is a typographical error in Condition No. 1 so the word "Corporation" should be changed to "Cooperators."

Advisory Neighborhood Commission (ANC) 2A, by letter dated September 19, 1988, offered no objections to the proposed amendments. The ANC was of the opinion that the proposed amendments would bring the Board's Order into conformance with their agreement with the applicant submitted to the Board on July 20, 1988.

Upon consideration of the motion, the response thereto, the final order and the record in the case, the Board granted the request for reconsideration and reaffirmed its prior decision with the following modifications to the conditions:

1. Condition No. 1(b) shall be corrected to read as follows:
 - b. No unit shall be subjected to or used for any timesharing, cooperative, licensing or other arrangement that would entail weekly, monthly, or any other type of revolving or periodic occupancy by multiple unit owners, cooperators, licensees, or timesharing participants.
2. Condition No. 2 shall be deleted in its entirety.


In all other respects, the Order of the Board dated September 6, 1988, shall remain in full force and effect.

DECISION DATE: September 28, 1988

VOTE: 3-0 (William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to grant; Paula L. Jewell and Lindsley Williams not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: DEC 22 1988

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14847order/LJP45

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT




APPLICATION No. 14847

As Acting Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated DEC 22 1988, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Andrea Salley, Esq.
WAH&L
1666 K St., N.W., Ste. 1100
Wash, D.C. 20006

Charles Clapp, Chairperson
Advisory Neighborhood Commission 2-A
1920 G Street, N.W., #100
Washington, D. C. 20006


EDWARD L. CURRY
Executive Director

DEC 22 1988
DATE: _____